

A Short History of Constitutional Initiatives in Montana

The Constitutional Initiative (CI) first appeared 40 years ago in Montana's 1972 Constitution.

106 CI petitions have been submitted for approval to gather signatures.

Only 13 CI petitions actually qualified for the ballot.(12%)

Of the 13 CIs voted on, 7 failed. (54% rejected)

Of the 6 CIs approved, 2 were found unconstitutional.

4 CIs made it into the constitution.

The record shows that Montana voters are very careful in signing and passing CIs. Double the signature count and the only CIs likely to pass will be backed by wealthy out-of-state interests.

Montana Does Not Need SB 204, which makes it much harder to qualify a CI

SB 204 increases the geographic requirement to qualify a Constitutional Initiative from 40 to 50 legislative districts. The stated goal is to make petitioners gather signatures in rural areas. According to Sen. Blewett, rural input somehow assures good law.

- As the process currently stands, it is theoretically possible to meet the geographic requirement by collecting signatures in **Missoula, Helena, Great Falls and Billings**.
- If SB 204 passes, a petitioner would simply add **Bozeman** to meet the expanded requirement. In other words, SB 204 will not force signature gatherers into rural areas.

SB 204 will have unintended consequences. SB204 makes it, at least, twice as hard to put a CI on the ballot but does not increase the signature requirements to call a full blown Constitutional Convention. Therefore, petition sponsors may opt to qualify the easier Con-Con.

- Montana voters are showing an inclination to vote for a Con-Con. In 1980, only **18%** voted in favor of a Con-Con. But in 2010, **41%** liked the idea.
- A Constitutional Convention will cost the state between \$2,500,000 to \$3,000,000. But wait, there's more. Each of the 100 delegates must stand for election in both a primary and general special election estimated to cost the state about \$2,000,000 each. Grand total ≈ \$7,000,000.

The Initiative and Referendum Institute of the University of Southern California says 18 states allow CIs. Three states have a higher signature requirement than Montana. Mississippi has 12%. The highest is Oklahoma and Arizona at 15% but without a geographic requirement.

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Compiled by the People's Power League

Testimony on SB 204 Senator Blewett (D-GF)

<http://www.peoplespowerleague.info/sb204.html>

